



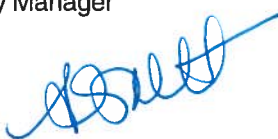
City of Austin

Animal Services Office, Austin Animal Center

7201 Levander Loop, Austin, TX 78702

To: Mayor and Council

CC: Marc A. Ott, City Manager
Bert Lumbreras, Assistant City Manager

From: Abigail Smith
Chief Animal Services Officer 

Date: October 2, 2012

Subject: Recent Court Case Involving 3 Dogs

The Austin Animal Services Office has received intensive public response to a recent incident in which 3 dogs belonging to Mr. Christopher Grant were placed in quarantine by at the Austin Animal Center following an attack in northwest Austin on September 06, 2012 in which the victim sustained serious bodily injury. Subsequent to an Administrative Hearing in the Austin Municipal court and pursuant to a court order issued September 28, 2012, the dogs were euthanized.

On September 6, 2012 an Animal Control Officer responded to the 7300 block of RM 2222 on a call for assistance from the Austin Police Department to investigate an incident where 3 dogs bit a man and his dog. The victim, as identified in Austin Police Department offense report 2012-2501749, sustained injuries classified as serious bodily from multiple bites inflicted by 3 dogs which were identified as being owned by Christopher Grant. Serious bodily injury is defined as:

...an injury characterized by severe bite wounds or severe ripping and tearing of muscle that would cause a reasonably prudent person to seek treatment from a medical professional and would require hospitalization... (TX Health & Safety Code - Chapter 822.001 [2])

Further, the victim's pet dog sustained what can easily be described as massive trauma. In addition to the significant number of bite wounds and a 5-6 inch open abdominal laceration, the animal's back left leg was "de-gloved" of skin, later necessitating amputation of the leg. As mandated by State law the 3 dogs were impounded by Austin Animal Control and placed in quarantine to be observed for symptoms of rabies. Due to the severe nature of the bite wounds, and as a matter of routine procedure in cases involving severe injuries, an *Affidavit for Seizure of Animals* was prepared and presented to Austin Municipal Court on September 17, 2012. On September 20, 2012 a *Notice of Administrative Hearing* was sent to Mr. Grant, the victim, and Austin Animal Control officer(s) to appear in Austin Municipal Court on September 28, 2012 at 10:30am. Additionally, while Mr. Grant's dogs were in quarantine they were assessed by the Austin Animal Shelter Behavior Program manager whose evaluation(s) said that due to the dogs' ferocity and aggression toward humans, the dogs would not be suitable for rehoming (adoption) or placement with a rescue partner. On September 28, 2012 testimony was given in Austin Municipal Court after which Judge Meyerson ordered the dogs euthanized. When an animal is ordered

humanely euthanized after a finding is made that the dog caused serious bodily injury, the euthanasia must occur within 10 days of the order being issued (TX Health and Safety Code – Chapter 822.003 [a] [e]). There is no appeal process offered in this section of the Health and Safety Code; a fact made clear to Mr. Grant several times before and during the court proceedings. Mr. Grant was represented by an attorney during the court proceeding.

On September 13, 2012 in an email to Austin Animal Control Mr. Grant alleged that he, too, was bitten by the victim's dog during the dog fight. As per state law and Animal Control protocol the offending dog was also quarantined for rabies observation. Animal Control officers coordinated the quarantine with the veterinary hospital where the dog was still recovering from its injuries.

In Austin/Travis County it is very rare for an animal to be euthanized as the result of a court order. Between September 2011 and September 2012 there were 1,698 bite cases investigated; of these, 5 court cases resulted in ordered euthanasia of 8 animals.

Please contact me with any questions you may have, or if you would like further information.

